

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

BRYAN PURCELL and GEORGENE
STERGALAS,

Plaintiffs,

v.

Case No. 10-13444

IMAD FADLALLAH, et al.,

Defendants.

**ORDER GRANTING “DEFENDANT’S MOTION TO STRIKE
PLAINTIFFS’ AMENDED FINAL WITNESS LIST”**

On August 23, 2012, the court held an off-the-record telephone conference with the parties to determine whether there was any need for amending the February 24, 2012 scheduling order. The court issued an order allowing Plaintiffs to file an amended witness list. The order stated, “The court expects that Plaintiffs’ witness list will contain no more than ‘a few’ names not earlier revealed as counsel for Plaintiffs suggested in conference. . . .” (Order Extending Disc. at 2 n.1, Dkt. # 35.) Plaintiffs filed an amended final witness list that includes an additional thirty named witnesses. Defendants moved to strike the amended witness list as violative of the court’s order and Plaintiffs responded. The court heard oral arguments on the motion on October 23, 2012. See E.D. Mich. LR 7.1(f)(2). For the reasons stated on the record, accordingly,

IT IS ORDERED that “Defendant’s Motion to Strike Plaintiff’s Amended Final Witness List” [Dkt. # 37] is GRANTED. Plaintiffs are DIRECTED to amend their final witness list to include those additional witnesses who are Dearborn Public School Board

Members as Defendants withdraw their objection to such Board Members.

IT IS FURTHER ORDERED that Plaintiffs are DIRECTED to choose five witnesses, not including Board Members, from among the list of additional witnesses and amend their final witness list to include those five witnesses. Plaintiffs may only amend their final witness list with a sixth non-Board-Member witness if Defendants stipulate to that sixth witness or Plaintiffs show extraordinary good cause for needing to include that sixth witness. Plaintiffs are DIRECTED to file their amended final witness list, along with a written statement explaining the identity and significance of each new witness, by **October 26, 2012**. This amended final witness list will supplant Plaintiffs' previous witness list filed on August 30, 2012.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: October 29, 2012

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, October 29, 2012, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522